

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO. 20-022-00

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS AMENDING SECTIONS OF ARTICLE 14.02, THE COMPOSITE ZONING ORDINANCE TO UPDATE THE MULTI-FAMILY REQUIREMENTS, REVISE THE DEFINITIONS, CLARIFY THE MEASUREMENT OF CALIPER INCHES, UPDATE SETBACK REQUIREMENTS, UPDATE LOT SIZE SUMMARY, CLARIFY INTENT STATEMENTS FOR USE COMPONENTS, REVISE THE NOTIFICATION PROCESS; PROVIDING A SEVERABILITY CLAUSE, PROVIDING SAVINGS, EFFECTIVE DATE AND OPEN MEETINGS CLAUSES, AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the Planning & Zoning Commission held a public hearing on the proposed amendments to Section 14.02.001, Article 14.02, Chapter 14, Leander Code of Ordinances (the “Composite Zoning Ordinance”), and forwarded its recommendation on the amendments to the City Council; and

WHEREAS, after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing has considered the proposed amendments and finds that the amendments are reasonable and necessary to protect the health, safety, and welfare of the present and future residents of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT:

SECTION 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

SECTION 2. Amendment of Article I, Section 6. Article I, Section 6 of the Composite Zoning Ordinance is hereby amended to remove the following definitions:

A Street means streets that provide the highest level of pedestrian amenities and are intended to provide a walkable connection between commercial and residential uses. Type A streets prohibit parking between the building façade and the public right-of-way. A continuous building frontage is required on A Streets, and may only be broken by a street, pedestrian passage, courtyard or similar feature approved by the Director of Planning. For phased building construction within a block, a screen wall or landscape hedge shall be constructed at the building frontage line prior to building construction. A map identifying the different street types shall be maintained and kept on file with the Planning Department.

B Street means streets that are more automobile-oriented, but still provide pedestrian amenities and limit the amount of surface parking between buildings and the street. A

continuous building frontage is required on B Streets, and may only be broken by a street, pedestrian passage, courtyard or similar feature approved by the Director of Planning. For phased building construction within a block, a screen wall or landscape hedge shall be constructed at the building frontage line prior to building construction. Surface parking consisting of no more than one drive aisle with head-in parking spaces on each side of the drive aisle are permitted between the building and the right-of-way for B Streets. All collector streets shall be classified as B Streets unless designated otherwise on the A, B, & C Streets Map. A map identifying the different street types shall be maintained and kept on file with the Planning Department.

C Street means streets that are the most automobile oriented and provide for significant amounts of surface parking between buildings and the public right-of-way. A map identifying the different street types shall be maintained and kept on file with the Planning Department.

SECTION 3. Amendment of Article I, Section 6. Article I, Section 6 of the Composite Zoning Ordinance is hereby amended to modify the following definition to read as follows:

Caliper means the trunk diameter of a tree at four (4) feet above natural grade for existing trees for the purposes of a tree survey. Caliper means the trunk diameter of a tree at twelve (12") inches above natural grade for new trees.

SECTION 4. Amendment of Article I, Section 6. Article I, Section 6 of the Composite Zoning Ordinance is hereby amended to add the following definition:

Cosmetic services means the retail services focused on matters of personal cosmetic health and beauty which are typically elective in nature, such as but not limited to hair and nail salons, spas, massage therapy, waxing, permanent makeup (meaning producing designs that resemble makeup such as eye lining and enhancing colors to the skin of the face, lips and eyelids), microblading, microdermabrasion, botox, chemical peels, facials, tanning, eyelash extensions, and eyebrow threading. This definition does not include tattoo or piercing shops.

SECTION 5. Amendment of Article II, Section 2 (e) (5). Article II, Section 2 (e) (5) of the Composite Zoning Ordinance is hereby amended to read to as follows:

- (5) The following uses may be approved as a PUD district but is not permitted in any district:
 - (1) A recreational vehicle, mobile home or manufactured home camp or park;
and
 - (2) An outdoor vendor venue (fixed location).

SECTION 6. Amendment of Article III, Section 6 (a) (6). Article III, Section 6 (a) (6) of the Composite Zoning Ordinance is hereby amended to remove the following:

- (6) Proposals for lots less than forty-one (41') feet wide require PUD zoning as stated in Article II, Section 2 (e) (5) (iii).

SECTION 7. Amendment of Article III, Section 10. Article III, Section 10 of the Composite Zoning Ordinance is hereby amended to read as follows:

SECTION 10: CH – COTTAGE HOUSING

(a) Statement of Intent

The Cottage Housing use component provides for the development of multiple single-family detached dwellings on one lot and for other compatible and complimentary uses. The purpose of this component is to provide regulations to maintain and protect the City's single-family residences and neighborhoods in areas where it is appropriate to have cottage style development. This use component provides for greater flexibility in designing and placing structures while preserving open space, trees, and shared common areas. A variety of lot sizes shall be provided within one half mile of major intersections such as arterials or collectors and along residential collectors. The higher density residential shall be located closest to major intersections such as arterials or collectors and transition to lower density uses further away from the major intersections. This component provides for higher density lots and serves as a transition between moderate size lots and higher density areas. This component is generally intended as follows:

- (1) To provide an orderly transition to and create a buffer between larger lot neighborhoods and more intensive uses such as multi-family or commercial uses or arterial roadways.
- (2) To create more variety in housing opportunities in the fabric of neighborhoods.
- (3) To include or be located within six hundred (600') feet of shared amenity space. Shared amenity space may include parkland, recreational improvements, amenity centers, or other similar uses.

(b) Conforming Uses

A building or premise shall be used only for the following purposes:

- (1) Any use permitted in the "SFL" – Single-Family Limited component,
- (2) One (1) or more detached single-family dwellings per lot and associated amenities with a limit of eight (8) dwellings per acre. The minimum dwelling size shall be no less than nine hundred (900) square feet of living area.

(c) Lot/Building Envelope Size

Interior Lots			Corner Lots		
Min Area	Min Width	Min Depth	Min Area	Min Width	Min Depth
3,150 sq. ft.	35'	90'	4,050 sq. ft.	45'	90'

(d) Development Design Standards

- (1) A site plan shall be required.
- (2) Private drives shall provide access to each cottage house. Private drives shall be considered streets for the purposes of the setback requirements.

(d) Enclosed Garage and Parking

- (1) Dwelling units with more than three bedrooms: A minimum of two garage-enclosed parking spaces and two additional off-street parking spaces (driveway may be counted toward provision of off-street parking) shall be provided per dwelling.
 - (2) Dwelling units with three or fewer bedrooms: A minimum of one garage-enclosed parking space and two additional off-street parking spaces (driveway may be counted toward provision of off-street parking) shall be provided for each dwelling.
 - (3) Parking for other uses shall be provided in accordance with Art. VI, Sec. 3.
 - (4) Private drives shall constitute streets for the purposes of the application of Art. VIII Sec. 5 (j).
- (e) **Additional Requirements:** (Each of the uses denoted herein shall conform to the following development standards. Note: A site component – Type 1, 2 or 3 - and an architectural component – Type A or B – must be combined with this use component.)
- (1) Use Standards (Article IV)
 - (2) Site Components (Article V)
 - (3) Site Standards (Article VI)
 - (4) Architectural Components (Article VII)
 - (5) Architectural Standards (Article VIII)

SECTION 8. Amendment of Article III, Section 11 (d). Article III, Section 11 (d) of the Composite Zoning Ordinance is hereby amended to read as follows:

(d) Development Design Standards

- (1) Tiny Houses shall have a minimum of one hundred forty (140) square feet of living area and no more than seven hundred (700) square feet.
- (2) Tiny Houses shall be permanent structures that are constructed on or off site and shall be mounted to a permanent foundation.
- (3) Tiny Houses shall be installed in accordance with the following criteria:
 - (i) Each Tiny House is required to have a driveway and an address. Alternative materials such as ribbon driveways, crushed granite with ribbon curbs, or other material as approved by the Director of Planning are permitted as long as the driveway is in compliance with the Fire Code.
 - (ii) Garage and carport additions are permitted, provided they cover a paved parking area or other approved material as listed above and are connected to a street by a paved drive, meet the minimum building setback requirements, and have roof and siding material compatible with the primary structure.
 - (iii) Parking areas may be asphalt, concrete, crushed granite with a concrete ribbon curb, or other similar material approved by the Director of Planning.
 - (iv) Patio and porch covers are permitted, provided they cover an improved patio, deck or porch and meet the minimum building setback requirements.
 - (v) Each Tiny House shall be connected to City Utilities including water and wastewater.
 - (vi) Tiny Houses may be constructed of any materials compliant with the Type B Architectural Component, cementitious siding, or other similar material

- approved by the Director of Planning.
- (4) Multiple Tiny Houses on one (1) lot shall comply with the above and the following:
 - (i) Each house shall have a driveway access off of public ROW, a private street, and/or a private drive.
 - (ii) The total number of Tiny Houses shall not exceed eight (8) units per acre or exceed the utility capacity of water and wastewater services to the lot, whichever density is less.
 - (5) A minimum of two hundred (200) square feet of exterior open space is required per unit. This space must be a minimum of ten (10') feet wide.
 - (6) A site plan shall be required.

SECTION 9. Amendment of Article III, Section 12 (b). Article III, Section 12 (b) of the Composite Zoning Ordinance is hereby amended to read as follows:

(b) Conforming Uses

A building or premise shall be used only for the following purposes:

- (1) Any use permitted in the “SFL” – Single-Family Limited component,
- (2) One (1) Dwelling that may include multiple units on one (1) lot or tract, with a minimum living area in compliance with the Building Code and any associated amenities.
- (3) Tiny Houses in compliance with Section 11 of this ordinance; one (1) Tiny House per lot or multiple Tiny Houses per lot as long as the number of houses does not exceed the utility capacity of water and wastewater services to the lot.

SECTION 10. Amendment of Article III, Section 13 (a). Article III, Section 13 (a) of the Composite Zoning Ordinance is hereby amended to read as follows:

(a) Statement of Intent

The Multi-Family use component provides for the development of multi-family dwelling structures. Such components are generally intended to serve as a buffer between single-family neighborhoods and more intensive uses such as commercial uses or arterial roadways. Such components are also intended to create more variety in housing opportunities and in the fabric of the community but are intended to be utilized in small areas to avoid large tracts devoted to strictly multi-family residential development. The goal is to avoid more than twenty-five (25) acres of contiguous land having a Multi-Family component. Access should be provided by a collector or higher classification street. No new MF zoning shall be permitted after the effective date of this chapter unless approved as part of a Planned Unit Development (PUD) which includes the MF use component as part of a mixed use development.

SECTION 11. Amendment of Article III, Section 14 (a). Article III, Section 14 (a) of the Composite Zoning Ordinance is hereby amended to read as follows:

(a) Statement of Intent

The Local Office use component allows for the development of small scale, limited impact office uses or similar uses which may be located adjacent to residential neighborhoods. Access should be provided by a commercial street or higher classification street. This component is intended to help provide for land use transitions from local or general commercial or from arterial streets to residential development.

SECTION 12. Amendment of Article III, Section 15 (a). Article III, Section 15 (a) of the Composite Zoning Ordinance is hereby amended to read as follows:

(a) Statement of Intent

The Local Commercial use component allows for the development of small scale, limited impact commercial, retail, personal services and office uses located in close proximity to their primary customers, which cater to the everyday needs of the nearby residents, and which may be located near residential neighborhoods. Access should be provided by a commercial street or higher classification street.

SECTION 13. Amendment of Article III, Section 16 (b). Article III, Section 16 (b) of the Composite Zoning Ordinance is hereby amended to add item (5) to read as follows, subsection 16(b)(19) is hereby amended to read as follows, and subsections (b)(6) through (21) shall be renumbered as subsections (b)(7) through (22).

(5) Cosmetic Services

(19) New vehicle and major equipment sales, rental or leasing, repair of new or used vehicles, body shop [Small engine repair shops and motorcycle repair shops shall not be permitted within one-hundred fifty (150) feet of a residential district unless such repairs are conducted totally within a fully enclosed building.]

SECTION 14. Amendment of Article III, Section 17 (b) (12). Article III, Section 17 (b) (12) of the Composite Zoning Ordinance is hereby amended to remove the following and renumber the remaining subsections.

(12) Research, Testing, and Development Laboratory

SECTION 15. Amendment of Article III, Section 19 (b). Article III, Section 19 (b) of the Composite Zoning Ordinance is hereby amended to read as follows:

(b) Mixed Use Development

(1) The PUD district may include and allow for compatible mixed uses such as compatible residential, commercial and/or industrial uses within a single project in order to provide the flexibility required for a well-designed and innovative development that will conserve, develop, protect and utilize to their best use the natural resources of the area in a manner that ensures the safe, orderly and healthy

development and expansion of the City. In order to promote such development, the PUD may be comprised of a combination of components provided for in this ordinance. The outer boundary of each such PUD district shall be shown on a Conceptual Site Layout and Land Use Plan, as will the area for each separate proposed zoning use. Zoning uses may also be vertically integrated within a building or area and denoted on the plan. Said plan shall include a descriptive legend, the specific boundaries of the area proposed for authorized use in any other zoning district, the percentage of the total area of such PUD which will comprise each such separate use, and all notations, references, and other information shown thereon. The Conceptual Site Layout and Land Use Plan shall be adopted by ordinance as an integral part of the PUD and, to the extent feasible, contain all notes and standards of the PUD.

- (2) PUD districts that include the MF use component shall incorporate multi-family units as upper-floor dwellings in a vertically mixed-use building or horizontally as a complex within the urban context.
 - (i) Horizontally mixed use developments shall include the following mix of uses:
 - a. Gross building area allowed for residential uses shall be limited to a maximum of sixty (60%) percent; and
 - b. Gross building area allowed for non-residential uses shall be limited to a minimum of forty (40%) percent.
 - (ii) Building Types:
 - a. Vertical mixed-use buildings shall include ground floor devoted to retail, service, office, or institutional uses. Residential uses are only permitted on the upper floors.
 - b. Single-use multi-family buildings are allowed provided that they are of an urban character, using structured parking in lieu of surface parking.

SECTION 16. Amendment of Article III, Section 20. The “Use Matrix” set forth in Article III, Section 20 of the Composite Zoning Ordinance is hereby amended to add “Cosmetic Services” as a Permitted Use in the GC, HC, and HI Districts.

Certain uses listed also need to be supported by an appropriate site component in order to be permitted. The uses set forth in this Use Matrix must also comply with any provisions governing that use set forth in Article III and Article V. In the event of a conflict between this Use Matrix and the text associated with use component listed in Article III, the text shall apply.

P = Permitted and S = Special Use Permit Required

SECTION 17. Amendment of Article III, Section 21. Article III, Section 21 of the Composite Zoning Ordinance is hereby amended to read to as follows:

LOT SIZE SUMMARY

USE DISTRICT	INTERIOR				CORNER			
	Min Area	Min Width	Max Width	Min Depth	Min Area	Min Width	Max Width	Min Depth
SFR	1 acre	120'	N/A	160'	1 acre	120'	N/A	160'
SFE	12,000	80'	N/A	120'	13,000	90'	N/A	120'
SFS	9,000	70'	80'	115'	10,000	80'	90'	115'
SFU	7,200	60'	70'	110'	8,000	70'	80'	110'
SFC	5,500	50'	60'	105'	6,500	60'	70'	105'
SFL	4,100	35'	50'	100'	5,100	45'	60'	100'
SFT	2,000	20'	40'	90'	3,500	35'	51'	90'
SFU/MH	7,200	60'	70'	110'	8,000	70'	80'	110'
CH	3,150	35'	N/A	90'	4,050	45'	N/A	90'
TF	9,000	70'	80'	115'	10,000	80'	90'	115'
TH	700	20'	N/A	35'	875	25'	N/A	35'
NR	7,200	60'	70'	120'	8,000	70'	130'	110'

SECTION 18. Amendment of Article VI, Section 1 (3)(xiii). Article V, Section 1 (3)(xiii) of the Composite Zoning Ordinance is hereby amended to move this subsection to Article VI, Section 2 to read as follows, and Article VI, Section 2 is amended to read as follows:

SECTION 2: TRANSPORTATION CRITERIA MANUAL

- (a) The City of Austin Transportation Criteria Manual is hereby adopted to provide design criteria for site development. The criteria shall be implemented with reliance on sound engineering and planning judgment and nothing in this manual shall override such sound judgment as determined by the City Engineer and Director of Planning. (For roadway adequacy standards and requirements to prepare a Traffic Impact Analysis, refer to Ordinance No. 02-033-00.)
- (b) Access Management – The purpose of this section is to protect the public health, safety, and welfare through providing the highest level of mobility in order to carry substantial amounts of traffic over relatively long distances. According to the Texas Department of Transportation Access Management Manual (effective date of July 2011), more than four (4) decades of research conducted throughout the United States has shown that access management improves roadway safety. Studies cited by the manual show that the number of accidents increase by approximately fifty (50%) percent when access points are increased from one (1) per every five hundred twenty eight (528') feet to one (1) per every two hundred (200') feet. Based on these findings, all properties that have frontage onto an arterial street shall comply with the TxDOT standards with regards to access point spacing.
 - (1) Where existing conditions such as existing platted lots, established tracts of land, or topography make it not feasible or inappropriate to comply with the access standards above, the location of reasonable access shall be determined by the Director of Planning and City Engineer.
 - (2) A person aggrieved by a decision made by the Planning Director and City Engineer

under this Section 1 (b)(3)(xiii) may appeal the decisions to the Commission by submitting a written request for appeal and setting forth the basis for appeal within fourteen (14) calendar days of the date of the decision. The Commission's decision may be appealed to the City Council by submitting a written appeal within fourteen (14) calendar days of the date of the Commission's decision.

SECTION 19. Amendment of Article V, Section 1 (3)(xiii). Article V, Section 1 (3)(xiii) of the Composite Zoning Ordinance is hereby amended to read as follows:

(3) Multi-Family Development:

- (i) At least seventy-five percent (75%) of the units are required to have at least one enclosed garage parking space and such garages are required to be leased, rented or sold with the applicable units.
- (ii) Parking areas shall be no wider than two parking modules wide.

SECTION 20. Amendment of Article VI, Section 6 (a). Article VI, Section 6 (a) of the Composite Zoning Ordinance is hereby amended to read as follows:

- (a) The purpose of this section is to provide for building, paving, and outdoor storage setbacks. The setback table incorporates setback requirements by street types in order to identify parking lot locations. The street types range from A Street which is the most pedestrian oriented to C Streets which is the least pedestrian oriented. Building / Structure and Site Improvements:

BUILDING / STRUCTURE							
SINGLE-FAMILY RESIDENTIAL DISTRICTS							
	Use Component	Front	Side	Street Side	Rear		
Standard Setback	SFR	25'	7'	15'	15'		
	SFE, SFS, SFU, SFU/MH, TF	20'	5'	15'	15'		
	SFC, SFL	15' *	5' or 0' & 10'	15'	15'		
	CH*****	15'	5'	15'	15'		
	TH	10'*	5'	10'	10'		
	SFT	10' *	0 or 10'	15'	15'		
Garage Setback	SFR, SFE, SFS, SFU, SFU/MH. SFC. SFL, CH, SFT, TF	See Article VIII, Section 5 (i)					
NON-RESIDENTIAL & MULTI-FAMILY DISTRICTS							
	Use Component	Max	Min	Min	Min	Max	Min

	Front	Front	Side	Street Side	Street Side	Rear
Standard Setback	NR	15' *	5'	15'		15'
	MF	25'	10'	25'		20'
	LO, LC	30'	10'	30'		10'
	GC, HC, HI	35'	15'	35'		15'
Special Setback Where Adjacent to SFR, SFE, SFS, SFU, SFC, SFL, SFU/MH, CH, TH, TF**	MF, LO, LC, GC, HC, HI	(NA)	50'	(N/A)		50'

PARKING, AISLE, LOADING, CANOPIES, OUTDOOR DISPLAY						
	Use Component	Site Component	Front	Side	Street Side	Rear
Standard Setback	MF	All	20'	5'****	20'	5'****
	LO, LC, GC, HC, HI	Type 1, 2	15'	5'****	15'	5'****
		Type 3	20'	5'****	20'	5'****
		Type 4, 5	25'	5'****	25'	5'****
Special Setback Where Adjacent to SF or TF**	MF, LO, LC, GC, HC, HI	Type 1-3	(N/A)	15'	(N/A)	15'
		Type 4, 5	(N/A)	20'	(N/A)	20'

OUTDOOR STORAGE						
	Use Component	Site Component	Front	Side	Street Side	Rear
Standard Setback	LO, LC, GC, HC, HI	Type 3-4	***	5'****	***	0'
		Type 5	25'	0'****	25'	0'
Special Setback Where Adjacent to SF or TF**	LO, LC, GC, HC, HI	Type 3-5	(N/A)	25'	(N/A)	25'

- * In no case shall the garage be closer to the ROW than 18'
- ** Unless such district is utilized for a non-residential use
- *** No closer than the street facing wall of the primary structure that utilizes such storage.
- **** Setback does not apply for parking, drive aisles, storage etc. that are intended to cross lot line.
- ***** Setbacks are for the perimeter of the lot, not the individual units if multiple units are proposed per lot. If one (1) unit per lot is proposed, then these setbacks apply to each lot.

SECTION 21. Amendment of Article X, Section 3 (d). Article X, Section 3 (d) of the Composite Zoning Ordinance is hereby amended to read as follows:

(d) Public Hearing And Notice

- (1) Prior to making its report to the City Council, the Commission shall hold at least one public hearing on each application as required by state law (Texas Local Government Code Chapter 211 as amended). Written notice of all public hearings on proposed changes in district boundaries shall be sent to the owners of property, or to the person rendering the same for City taxes, that is located within two hundred feet (200') of the property that is the subject of the application. The notices will be mailed within not less than ten (10) days before such hearing is held. Such notice may be served by using the last known address as listed on the latest approved tax roll and depositing the notice, postage paid, in the United States mail. Notice of hearings before the City Council shall be accomplished by one publication not less than fifteen (15) days prior thereto in the official newspaper of the City.
- (2) The applicant shall post signs noticing the public hearing meeting the following criteria:
 - a. For property located on roadways with a speed limit less than 45 miles per hour, 18" X 24" signs shall be placed at intervals of 200 feet along the roadway frontage of the property.
 - b. For properties located on roadways with a speed limit 45 miles per hour and greater, 24" X 36" signs shall be placed at intervals of 200 feet along the roadway frontage of the property.
 - c. If the property has less than 200 feet of frontage per roadway, then only one (1) sign is required per frontage.
- (3) Neighborhood Outreach Requirements: If the perimeter of the property that is proposed for a rezoning is located within 500 feet of any property zoned or used for single-family residential development, the applicant is required to submit a neighborhood outreach summary.
 - a. The purpose in this summary is to:
 - i. Provide an opportunity for communication between the applicant and area residents;
 - ii. Attempt to resolve issues in a manner that is respectful of all interests; and
 - iii. Identify all unresolved issues.
 - b. A meeting with the neighborhood is recommended to aid in communication between the applicant and area residents.
 - c. By the close of business on the 14th day prior to the Planning and Zoning Commission public hearing, the applicant shall provide the Planning Department with a neighborhood outreach summary that includes the following information:
 - i. Efforts implemented to notify neighborhoods about the proposal, including who was notified, how they were notified, and when they were notified;
 - ii. Information about the project that was shared with owners and

- residents via mailings, workshops, meetings, open houses, flyers, and/or door-to-door meetings;
 - iii. A list of who was involved in the discussions;
 - iv. The suggestions and concerns raised by the neighborhoods; and
 - v. The specific actions that were taken, or that are proposed to be taken, in response to feedback from the residents.
- d. The applicant shall present the summary report to the authorized decision-making body at the public hearing.
- (4) HOA/Neighborhood Representative Notification. If the exterior boundary of any property that is proposed for zoning or rezoning is located within 500 feet of the external boundaries of the jurisdiction of a Home Owners Association (HOA) and/or a neighborhood a courtesy notification shall be mailed to the HOA and/or neighborhood representative within the same timeframe as referenced in Section above. Failure to issue a courtesy notification shall not render any zoning action void or voidable.

SECTION 22. Conflicting Ordinances. Exhibit “A”, Chapter 14, Leander Code of Ordinances is amended as provided herein. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.

SECTION 23. Savings Clause. All rights and remedies of the City of Leander are expressly saved as to any and all violations of the provisions of any ordinances affecting subdivision within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 24. Effective Date. Except as otherwise provided by this Section, this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code and the City Charter. Section 21 of this ordinance, which amends Article X, Section 3 (d) of the Composite Zoning ordinance goes into effect on June 15, 2020 and shall apply to zoning applications submitted after June 15, 2020.

SECTION 25. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision,

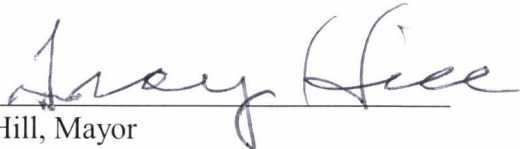
and to this end the provisions of this Ordinance are declared to be severable.

SECTION 26. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.


PASSED AND APPROVED on First Reading this the 16th day of April, 2020.

FINALLY PASSED AND APPROVED on this the 21st day of April, 2020.

THE CITY OF LEANDER, TEXAS


Troy Hill, Mayor

ATTEST:


Dara Crabtree, City Secretary

